

**EDUCATIONAL EXAMINERS BOARD[282]**

**Adopted and Filed Emergency After Notice**

**Rule making related to temporary initial license**

The Educational Examiners Board hereby amends Chapter 13, “Issuance of Teacher Licenses and Endorsements,” Iowa Administrative Code.

*Legal Authority for Rule Making*

This rule making is adopted under the authority provided in Iowa Code section 272.2.

*State or Federal Law Implemented*

This rule making implements, in whole or in part, Iowa Code section 272.2 and 2019 Iowa Acts, Senate File 159.

*Purpose and Summary*

This amendment is intended to implement 2019 Iowa Acts, Senate File 159, which directs the Iowa Board of Educational Examiners to adopt rules to create a nonrenewable initial one-year license for applicants who have met all licensure requirements with the exception of a passing score on the required assessments.

*Public Comment and Changes to Rule Making*

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on June 19, 2019, as **ARC 4502C**. A public hearing was held on July 10, 2019, at 1 p.m. in Room 3 Southwest, Grimes State Office Building, Des Moines, Iowa. No one attended the public hearing. No public comments were received. No changes from the Notice have been made.

*Reason for Waiver of Normal Effective Date*

Pursuant to Iowa Code section 17A.5(2)“b”(1)(b), the Board finds that the normal effective date of this rule making, 35 days after publication, should be waived and the rule making made effective on August 7, 2019, because the rule confers a benefit by allowing license candidates who have completed all requirements except a passing score on the required assessments to receive the newly created license in time for the upcoming 2019-2020 school year. This will confer a benefit on the potential license holders, as well as their potential employers.

*Adoption of Rule Making*

This rule making was adopted by the Board on August 7, 2019.

*Fiscal Impact*

This rule making has no fiscal impact to the State of Iowa.

*Jobs Impact*

After analysis and review of this rule making, no impact on jobs has been found.

*Waivers*

The required assessment may not be waived except through the process outlined in 2019 Iowa Acts, Senate File 159, section 6.

*Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

*Effective Date*

This rule making became effective on August 7, 2019.

The following rule-making action is adopted:

Amend rule 282—13.6(272) as follows:

**282—13.6(272) Specific requirements for an initial license.** An initial license valid for a minimum of two years with an expiration date of June 30 may be issued to an applicant who meets the general requirements set forth in rule 282—13.5(272).

**13.6(1)** For an applicant applying pursuant to subrule 13.5(1), a nonrenewable temporary initial license may be issued if the applicant presents an assessment waiver issued by the director of the Iowa department of education within 30 days of the waiver issuance. The applicant must meet the assessment requirement in order to apply for full Iowa licensure.

**13.6(2)** For an applicant applying pursuant to subrule 13.5(2), a nonrenewable temporary initial license may be issued to the applicant if all requirements have been met with the exception of the assessments pursuant to subparagraph 13.5(2)“b”(2). The applicant must meet the assessment requirement in order to apply for full Iowa licensure.

**13.6(3)** The temporary initial license shall be valid for one year from the date of issuance. This license is nonrenewable and may not be extended. This license may only be issued if the applicant provides an affidavit from the administrator of an Iowa school district or accredited nonpublic school verifying that an offer of a teaching contract has been made and that the employer made every reasonable and good-faith effort to employ a fully licensed teacher for the specified subject and was unable to employ such a teacher.

[Filed Emergency After Notice 8/7/19, effective 8/7/19]

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EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 8/28/19.